

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT
CRIMINAL JUSTICE ACT PLAN**

APPENDIX A

I. CREATION OF THE REGULAR CJA PANEL

A. The standing committee shall compile and review all applications, and prepare a list of applicants who possess the qualifications required for the new panel. The standing committee shall also compile a pending applications list, which will include those attorneys requiring more training prior to being placed on the regular panel list.

B. These two lists shall be distributed to all members of the standing committee, Judges and Magistrate Judges, as well as to the Clerk and Chief Deputy Clerk. Each person receiving the lists shall review them and return them to the standing committee with the names of any attorneys absent from the list who should be contacted to ascertain their interest in participating on the panel. Attorneys interested in being included on the panel would then be given an opportunity to complete an application.

C. Those receiving the lists shall also review them to identify the individuals who should not be included on the panel, and shall state the reason(s) for such recommendation. The reason(s) should be based on the following factors: (a) a perceived lack of competence or knowledge; (b) a perceived lack of interest and motivation; (c) a perceived lack of training; (d) an unwillingness to make the necessary commitment to the panel; or (e) a lack of willingness to provide the quality of representation deemed necessary. The person making the

recommendation should be as specific as possible concerning the reasons, with all such recommendations being confidential. The standing committee will make a recommendation to the Court, by majority vote, concerning whether the prospective panel member should be included on the final panel. Final decisions regarding membership on the panel will be made by a majority of the active Judges of the district.

D. The restructured CJA panel shall consist of approximately 75-100 members.

II. CREATION OF A PENDING APPLICATIONS LIST

A. A "Pending Applications List" shall be established, consisting of lawyers who have applied for membership on the panel and who do not yet possess sufficient skill, knowledge or experience to be on the CJA panel. Pending final approval of their applications, such attorneys shall receive training and shall serve, without compensation, in a second chair capacity to a panel attorney on a given case, or aspects of a given case, including detention hearings and sentencing proceedings.

B. The Clerk's Office and the standing committee shall maintain the pending applications list. Panel attorneys will be advised of the existence of such a list and will be expected to contact the Clerk's Office or a standing committee member to obtain the names of people seeking to serve in a second chair capacity. The standing committee shall then periodically review the pending applications list and make recommendations as to which attorneys should be moved onto the regular panel.

III. ADDING AND REMOVING LAWYERS FROM THE CJA PANEL

A. Additions

1. The standing committee shall monitor the operation of the panel to determine whether it meets the needs of current case load requirements. Additions to the panel shall be made through the approval of new applications and by moving attorneys from the pending applications list to the regular panel. New applications shall be collected by the Clerk's Office and referred to the standing committee for periodic review.

2. By majority vote, the committee shall decide which applicants need further training, thereby remaining on the pending applications list, and which ones are to be referred to the Chief Judge for inclusion on the panel. Final decisions on inclusion will be made by a majority of the active Judges.

B. Suspensions

Attorneys who have been suspended or disbarred from a state court and who are the subject of reciprocal discipline in this court pursuant to Local Rule 3(f), or who are presented for discipline in this court under other provisions of Local Rule 3, shall be suspended from the list pending disposition of the federal grievance proceedings. If the attorney is counsel of record in a pending case, the trial Judge shall be notified by the Clerk's Office. If the attorney is suspended or disbarred in this court, the attorney shall be removed from the CJA panel, and will be eligible to reapply only if he or she later becomes a member of the federal bar in good standing.

C. Removals

1. Any complaints about the performance or commitment of a panel attorney shall be referred to the standing committee. The standing committee shall also take notice of such deficiencies on its own and make recommendations to the Court for removal from the panel. At the request of the Court, the Clerk, or individual committee members, the standing committee shall review complaints about a panel member. The receipt and handling of complaints will be confidential.

2. The panel attorney shall be notified of any complaint, and shall have the right to request a hearing before the committee. At the hearing, the attorney shall have all due process rights, including representation by counsel, the right to be informed of the nature of the complaint and the right to present testimony on his or her behalf. A recommendation for or against removal shall be by majority vote and forwarded to the active Judges for appropriate action. Removal of the attorney from the panel shall be by majority vote of the active Judges of the district.